

295 HWY 49 South  
Tutuila, MS 38963  
Plaintiffs pro se

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

In the United States District Court  
For the District of Hawaii

at 1:03 2006  
o'clock and 52 min. AMST  
SUE CITIA, CLERK

Anthony Nesbit  
Plaintiff

vs.

Dept of Public Safety,  
State of Hawaii et. al.  
Defendants

Civ. No. 03-00455 SOM-KSC  
Consolidated

Plaintiffs Motion for time  
enlargement for responding to  
Defendants Motion for Summary  
Judgment.

William Kotis  
Plaintiff

vs.

State of Hawaii Dept  
of Public Safety, et. al  
Defendants

Civ. No. 04-00167 SOM-KSC  
Consolidated

Plaintiffs Motion for time Enlargement for responding to  
Defendants Motion for Summary Judgment.

Come Now Plaintiffs Anthony Nesbit and William Kotis pro se informa  
pauperis to request from the Honorable Court to allow Plaintiffs  
enough time to adequate respond and Oppose Defendants Motion  
for Summary Judgment filed December 2, 2005. Plaintiffs have been  
granted in part Motion to Compel and are waiting to receive documents  
and interrogatories; the evidence is also important in responding to defendants  
Motion for Summary Judgment as well as extra time to study the and  
litigate properly. Plaintiffs have also filed a Motion for Counsel as  
plaintiffs do not have the legal knowledge to adequately litigate a case  
as complex and Confidential as this one. Plaintiffs wish to have  
more time to respond but will respond much sooner if Plaintiffs  
receive discovery materials early or in the alternative plaintiffs can  
respond in 2 parts sending their first Opposition to defendants  
Motion for Summary Judgment then when Plaintiffs receive

+ the discovery Materials as Ordered then plaintiff will send the 2<sup>nd</sup> part Trial part in plaintiff Opposition as soon as possible.

" It may also be in the Best interest of the Court agree that the trial date be reset as discovery has come close to the trial date as well as Plaintiff Motion for Counsel.

Plaintiff have presented a lot of evidence (exhibits) in through out their pleadings as well as many arguments through out their pleadings in Opposition to defendant's motion to dismiss and in support of their Claims.

Plaintiff do have valid arguments and evidence to Oppose Defendants Declaration filed Dec 2, 2005 and wish to do this in their first response and Opposition to Defendants Motion for summary Judgment. Plaintiff second part response will include Discovery Materials as well as arguments and cited Case Law. The Discovery Material Ordered Dec 7, 2005 may take a bit longer for defendant to produce actually we do not know how long this will take But when plaintiff receive it they will respond as quickly as possible ~~by~~ on or in the alternative what ever the Honorable Court deems reasonable. also Plaintiff filed a Motion in limine August 12<sup>th</sup> 2005 a hearing date for this has not been set. Plaintiff have never acted as pro se litigators before Plaintiff do not know how to prepare for trial or know how to write pretrial statement Briefs, Voir Dire issues or present their Evidence. Plaintiff pray that this will be considered in deciding Counsel. Plaintiff are surprised to have come this far having very little legal knowledge. Plaintiff believe strict scrutiny applies here because issues implicate Equal protection laws. Respectfully Submitted

26<sup>th</sup>  
December 2005

Anthony Nesket  
Plaintiff pro se

### Additional Information

Due to the Holidays the Law Library has stopped all photocopies until after Jan 1st 2006

Plamtyff also request additional time to enter evidence such as documents and interrogatory the time for this ends Jan 17, 2006

also time extensions for the following

pretrial statement  
witnesses  
proposed exhibits  
Oppositions  
trial Briefs

Plamtyff do not know when discovery Order materials will be provided by defendants as defendants have resisted discovery from the beginning But now it is ordered

Time extensions are necessary Considering all the Circumstances

Respectfully Submitted

Date Dec 26, ~~2005~~  
2005

Anthony Nesbitt  
Plamtyff prose

In the United States District Court  
For the District of Hawaii

Anthony Nesbit  
Plaintiff

vs.  
State of Hawaii  
Dept of Public Safety  
et al  
Defendants

CIV. No. 03-00455 SOM-KSC  
Consolidated

Certificate of Service

William J. Kotis  
Plaintiff

vs.  
State of Hawaii  
Dept of Public Safety  
et al  
Defendants

CIV. No. 04-00167 SOM-KSC  
Consolidated

Certificate of Service

The Undersigned hereby Certifies that a copy of the foregoing documents was served on the following at his/her last known address via U.S. Mail postage prepaid as follows:

Dept of Attorney General  
John M. Cregor  
425 Queen Street  
Honolulu, Hawaii  
Attorney for defendants

Dec 26<sup>th</sup> 2005

Anthony Nesbit  
Plaintiff prose